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Seeking to Restore Integrity and Public Trust in Our Justice System

July 26, 2020

Police Chief Jerry Moore
Salem Police Department
555 Liberty Street, SE
Room 130
Salem, OR 97301

Re: The Siege on Summer Street, January 22, 2019
Police tampering with crime scene evidence.

Dear Chief Moore:

We wrote to on February 11, 2019 and again on March 24, 2019. Now we write again: we take our duties as good citizens seriously, particularly now with a crisis in the public's confidence in the judgment of police officers.

As you may recall, on January 22, 2019, the Salem SWAT Team lobbed incendiary devices for four (4) hours into a residence at 1050 Summer Street, N.E. in Salem. This was done to force one (1) unarmed man -- Kenneth Ketchem -- to exit the house. Police reports back up Mr. Ketchem's story that he entered the house in fear of his life, trying to escape an armed pursuer.

After the fires went out, the police asked the Fire Marshall's Office to conduct a *criminal* investigation. But police officers then removed SWAT debris from the fire scene *before* the investigation, even though the scene had been declared a crime scene.

According to police reports, the officer involved in the removal of the debris were: Lt. Adams, Officer Scott Kofoid, and Detective Curtis Abel.

According to police reports, the evidence removed from the fire scene by the police included:

- Two spent FSDD hulls.

Source: Incident Supplement, Ofc. Scott Kofoid, Pg. 2 of 3, Bates 00135.

Also:

- Two pieces of 40 MM CS gas canister cartridge casings from backyard of 945 E Street NE. (#31, #32, Pg. 5)
- Four 40 MM CS gas canister cartridge casings from "[redacted] back yard near fence." (#33, #34, #35, #36, Pg. 6 of 15)
- Two pieces 40 MM fired rounds from under the deck in rear of house (#41, Pg. 7 of 15)
- Three spent smoke canisters, inert. (#52, Pg. 8 of 15)

- 3 spent smoke canisters (inert), 13 spent gas found bases, collected from within and around (one exterior front) ground floor and upper floor by Abel. 303. (#52, Pg. 8 of 15)
- 13 spent gas round bases collected from within and around (one exterior) ground floor and upper floor by Det. Curtis Abel. (#52, Pg. 8 of 15)

Source: Salem Police Department Property Report, Pg. 5 of 15, Bates 00413; Pg. 6 of 15, Bates 00414; Pg. 7 of 15, Bates 00415; Pg. 8 of 15, Bates 00416.

After the removal of the SWAT ordnance, Det. Curt Abel and Jeff Gordon of the Salem Police Department gave the Deputy Fire Marshall a tour of the ruins, interpreting the surroundings for her, and assuring the SWAT barrage did not cause the fire. She adopted what they said and wrote her report.

Further details have already been furnished you in a printed copy of Chapter 6 of "The Siege of Summer Street," on-line at: <http://www.everyones-business.org/SummerStreet/fire-marshal.html>

2017 ORS 162.295 states that tampering with physical evidence is a Class A misdemeanor.

Hence we assume you reprimanded the officer/officers. May we see copies, please? Give us a call at either phone numbers below and we will come to your office and pick them up.

The criminal trial of *State of Oregon vs Kenneth Ketchem*, (Case 19CR05609) is scheduled to begin July 30. Your officers will no doubt be called to witness. If the defendant has competent representation, those officers will be asked about this gross mismanagement of the crime scene. Perhaps you can imagine the line of questioning that will follow:

"Do you always remove material from the crime scene before the forensic inspectors arrive? Would you, say, mop up the blood before the arrival of the coroner? Remove weapons? Roll the body over? Then why was it done in this case? From the police reports, it looks as though somewhere between 25 and 30 shell casings were removed from the scene. Did you take photographs of the ordnance positions before removing them? Was there a reason you had to remove them before the Fire Marshal arrived? Couldn't you have waited until later?"

In the end, those officers will be badly embarrassed, and will bring embarrassment to the Salem Police Department. Perhaps you may wish to contact the District Attorney's office and inform them you cannot back what your officers did.

Sincerely,

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